Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* Stillwater Mining Company – East Boulder Mine
PO Box 1227
Big Timber, MT 59011

2. *Type of action:* Application for Beneficial Water Use Permit 43BJ 30063532

3. *Water source name:* Brownlee Creek

4. *Location affected by project:* NWNESE Section 28, Township 4 South, Range 13 East, Sweet Grass County, Montana

Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

Stillwater Mining Company is requesting a beneficial water use permit in order to draw 25 gpm up to 10 acre-feet per year from Brownlee Creek to use it for exploratory drilling and other mining activities.

5. Agencies consulted during preparation of the Environmental Assessment: (include agencies with overlapping jurisdiction)

Montana Natural Heritage Program	Endangered-Threatened Species
Montana Department of Fish Wildlife & Parks (MFWP)	Dewatered Stream Information
Montana Department of Environmental Quality (MDEQ)	TMDL Information
US Forest Service – Beartooth Ranger District	Environmental Impact Statement

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity *- Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

Determination: Brownlee Creek is not listed as chronically or periodically dewatered. The applicant provided physical measurements performed on 07/16/2007 and estimates of the monthly flow in Brownlee Creek from June to December. The measurement was done using a Marsh McBirney flow meter. The measurements as supplied by the applicant are listed in the table below.

Month	Flow (GPM)
June	300 (estimate)
July	162 (measured)
August	95 (estimate)
September	75 (estimate)
October	65 (estimate)
November	60 (estimate)
December	60 (estimate)

The applicant also provided information about existing water rights on Brownlee Creek and on the East Boulder River for five miles after the confluence of Brownlee Creek with the East Boulder. There are no other water rights on Brownlee Creek. The Stillwater mine has a water right out of the East Boulder River.

There will be impacts on the source from this proposed use, but those impacts are not expected to be significant.

Water quality *- Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: The stream is not listed as water quality impaired. The proposed use will not have any return flows to the stream. The proposed use should have no significant impact on water quality issues in the area.

Groundwater *- Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: This proposed use of water should have no significant impact on groundwater quality or quantity in the area. All exploratory drilling mining and maintenance will be done according to accepted practices.

DIVERSION WORKS *- Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: The diversion works will include a 2" trash pump with a screened intake secured in a deep pool in Brownlee Creek. From the pump a one to two inch plastic pipe will take the water approximately 300' to a 500 gallon holding tank. Water from the holding tank will be pumped to the drilling rig.

The proposed use may have some affect on the flow of this small stream during pumping. There will be minor impacts from the proposed diversion and operation, however those impacts are not expected to be significant or long lasting.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species *- Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: The Montana Natural Heritage Program has identified the Canadian Lynx, Wolverine, Grizzly Bear, Northern Goshawk, Cassin's Finch, Brown Creeper, Peregrine Falcon, Clark's Nutcracker, Green-tailed Towhee, Cutthroat Trout, Upward-lobed Moonwort, Western Moonwort, Small-winged Sedge and Beaked Spikerush as threatened species or species of concern known to in the project area. The noise and commotion of this project may have some impact on the habitat of these animals. Though, this proposed activity will be similar to what is commonly experienced in that area.

Wetlands *- Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: The project area is not within a wetland, so there should be no significant impacts to wetlands from this proposed use.

Ponds *- For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: There are no ponds included in the proposed project.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE *- Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: This proposed use should not degrade soil quality beyond the normal impacts of the mine operation or cause saline seep problems in the area.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: There will be some soil and vegetation disturbance during construction of the proposed project and there will be a possibility of some noxious weeds spread and establishment. It is expected that the Stillwater Mining Company will take an active roll to reduce that risk.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: There should be no deterioration of air quality or adverse effects on vegetation due to increased air pollutants from this proposed project.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: The project is not located on state or federal land and this section is not applicable.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: There should be no significant impacts on other environmental resources of land, energy, and water from this proposed use.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: This proposed use is not inconsistent with locally adopted environmental plans and goals for Stillwater County and the Custer National Forest.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: This project may be unsightly and noisy to recreational users of the Custer National Forest. Other than the noise and unsightly equipment there should be few impacts on recreational or wilderness activities from this proposed activity.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: There should be no significant impact on human health from this proposed use.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*
*Yes___ No_**X**_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights*.

Determination: No significant impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

(a) *Cultural uniqueness and diversity?* No significant impact

(b) *Local and state tax base and tax revenues?* No significant impact

(c) *Existing land uses?* No significant impact

(d) *Quantity and distribution of employment?* No significant impact

(e) *Distribution and density of population and housing?* No significant impact

(f) *Demands for government services?* No significant impact

(g) *Industrial and commercial activity?* No significant impact

(h) *Utilities?* No significant impact

(i) *Transportation?* No significant impact

(j) *Safety?* No significant impact

(k) *Other appropriate social and economic circumstances?* No significant impact

2. ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts Any secondary impacts of this water use are overshadowed by the impacts of the larger mine operation that is occurring around the project.

Cumulative Impacts This water use is expected to have little negative impact on water users down stream.

3. ***Describe any mitigation/stipulation measures:*** The applicant is aware that they would be required to cease diverting water if that use is adversely impacting the rights of downstream users.

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The proposed activity is reasonable, and is within accepted practices for the on going mine operations and mineral exploration. The no action alternative may force the Stillwater Mining Company to truck or fly the water they need for this activity to the site. This would require more traffic and equipment that may create more impacts on the environment.

PART III. Conclusion

1. ***Preferred Alternative:*** To issue the permit and allow this project to continue

2 ***Comments and Responses:*** None to report

3. ***Finding:***
Yes___ No_X__ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant environmental impacts were identified. No EIS required. An EIS was done for the Stillwater Mining Company and can be requested from the DEQ.

Name of person(s) responsible for preparation of EA:

Name: Christine Smith
Title: Water Resources Specialist
Date: 08/16/2012